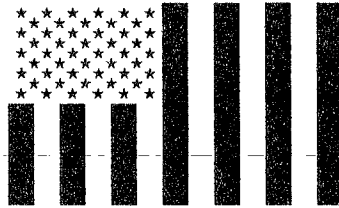




RE 117 630 405 US

Label 200, August 2005

PSN 7690-03-000-9311



FILED US District Court-UT
JAN 05 '21 PM12:28

Paul-Kenneth: Cromar.

- the secured party of the name "PAUL KENNETH CROMAR", and,
Barbara-Ann: Cromar.
- the secured party of the name "BARBARA ANN CROMAR
c/o 9870 N. Meadow Drive
Cedar Hills, Utah-State: uSA [84062]

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH CENTRAL DIVISION**

**UNITED STATES OF AMERICA
Plaintiff**

VS.

**PAUL KENNETH CROMAR,
BARBARA ANN CROMAR, et al
Defendants.**

JUDICIAL NOTICE:

**ORDER FOR MOTION FOR
LEAVE TO FILE
IS VOID AND
STATUTORILY RECINDED**

CASE NO.: 2:17-cv-01223-RJS

**JUDICIAL NOTICE: ORDER FOR MOTION FOR LEAVE
TO FILE ARE STATUTORILY VOID AND RECINDED**

1. NOW COMES: *We*, Paul-Kenneth: Cromar and Barbara-Ann: Cromar, secured parties of the names captioned above as defendants, as a living and breathing man and woman on the land, under a flag of peace, *sui juris*, hereby file this **JUDICIAL NOTICE: ORDER FOR MOTIONS FOR LEAVE TO FILE IS STATUTORILY VOID AND RECINDED.**

2. Defendants were under order of the court to not file any pleadings in this action without *Leave of the court* to do so. However, it has been discovered that legal basis upon which the order was based is an irrelevant opinion of another court, which does not supersede statute, and is VOID therefore RESCINDED.

3. Should any officer of the court refuse to record Our, defendant Cromars' documents, once deposited with the court in person or via USPS, they are committing a crime under Title 18 USC § 2071 punishable by fines and imprisonment. Regardless of "legal advise", sworn officers of the court are still responsible individually, as *We* do not accept any third party interveners. Any judge, magistrate, attorney, attorney general, or anyone from the lawyering craft are all third parties and do not have a license to make a lawful determination in this matter as they do not represent *Us*, and *We* have NOT, do not, and will not granted any officer of the court (or anyone else for that matter) authority to represent *Us*.

"An instrument is deemed in law filed at the time it is delivered to the clerk, regardless of whether the instrument is "file-marked." **Biffle v. Morton Rubber Indus., Inc., 785 S.W.2d 143, 144 (Tex. 1990).**

4. Statutes are superior to opinions of officers of the court and violation of statutes may activate investigation, prosecution and punishment for violations of law:

Title 18 USC – Crimes and Criminal Procedure
Part 1 – Crimes

Chapter 101 – Records and Reports
Section 2071 – Concealment, removal, or mutilation generally

- (a) Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or, with intent to do so takes and carries

away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined under this title or imprisoned not more than three years, or both.

- (b) Whoever, having the custody of any such record, proceeding, map, book, document, paper, or other thing, willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys the same, shall be fined under this title or imprisoned not more than three years, or both; and shall forfeit his office and be disqualified from holding any office under the United States. As used in this subsection, the term “office” does not include the office held by any person as a retired officer of the Armed Forces of the United States.

5. It is *establish law* that violation of statutes regarding the destruction of court filings is a “crime against justice”, recorded as law, as follows:

**Revised Statutes of the United States, 1st session, 43 Congress 1873-1874.
Title LXX.---Crimes.---CH. 4. CRIMES AGAINST JUSTICE**

SEC. 5403. (Destroying, &c., public records)

Every person who willfully destroys or attempts to destroy, or, with intent to steal or destroy, takes and carries away any record, paper, or proceeding of a court of justice, filed or deposited with any clerk or officer of such court, or any paper, or document, or record filed or deposited in any public office, or with any judicial or public officer, shall, without reference to the value of the record, paper, document, or proceeding so taken, pay a fine of not more than two thousand dollars [\$2,000.00], or suffer imprisonment, at hard labor, not more than three years, or both: [See §§ 5408, 5411, 5412.1]

SEC. 5407. (Conspiracy to defeat enforcement of the laws.)

If two or more persons in any State or Territory conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws, each of such persons shall be punished by a fine of not less than five hundred [\$500], nor more than five thousand dollars [\$5,000], or by imprisonment, with or without hard labor, not less than six months nor more than six years, or by both such fine and imprisonment. See §§ 1977-1991, 2004-2010, 5506-5510.1

SEC. 5408. (Destroying record by officer in charge.)

Every officer, having the custody of any record, document, paper, or proceeding specified in section fifty-four hundred and three, who fraudulently takes away, or withdraws, or destroys any such record, document, paper, or proceeding filed in his office or deposited with him or in his custody, shall pay a fine of not more than two thousand dollars, or suffer imprisonment at hard labor not more than three years, or both-, and shall, moreover, forfeit his office and be forever afterward disqualified from holding any office under the Government of the United States.

6. The Constitution is the Supreme Law of the land (anno dominio 1787), all officers of the court have sworn an oath to protect and defend it, and as such violators of such void their authority and all rulings in such instances. **“Judicial immunity” is a false doctrine without backing of law**, which makes it an actual defined example of “frivolous”. Do the officers of the court now understand? Potential claims of “judicial immunity” are indeed frivolous and will fail as a defense because of the fact that the Oath of Office anticipates individual criminal action and potential treason by “domestic enemies”, numerous Title 18 and other statute cite anticipating individual criminal behavior of government officials, and new UNANIMOUS Supreme Court ruling of December 10, 2020, which also destroys the fatally flawed “judicial immunity” defense by confirming damages as lawful remedy:

A damages remedy is not just “appropriate” relief as viewed through the lens of suits against Government employees. It is also the *only* form of relief that can remedy some RFRA violations. (see *Tanzin v. Tanvir*, 592 U.S. ____ (2020))

7. Any attempt to block and/or remove a lawfully submitted document to the Clerk of the court, would be considered an attempt to destroy evidence, which is a felony, which may submit officers of this court to 242 for **Deprivation of Rights Under Color of Law** (see Exhibit A), and 241 for **Conspiracy to Deny Civil Rights** (see Exhibit B), 1918 for **Violation of Oath of Office**, AND possible **R.I.C.O.** violations. This supported by this May 7, 2020 un-rebutted Affidavit directly related to this case:

“...To “strike” [or block] from the record any of my filings, all of which are written by me and are declared sworn affidavits, WILL BE INTERPRETED AS AN ATTEMPT

TO DESTROY EVIDENCE. The Clerk of the Court has the authority over lawful filings with the Court, and unproven charges of “frivolous” by a Judge, any officer of the Court, or anyone else for that matter, may be found as a **premeditated attempt to destroy evidence**, which is fraud and would be a felony.” (Case No. 2:09 CV 1102 DAK, REJECTION OF JUDGE’S “ORDER” FOR FRAUD AND SUMMONS REPORT – May 7, 2010.)

8. Therefore, in order to comply with statutes created for the purpose securing Constitutional JUSTICE, that the *Order of the Court*, previously implemented to limit the Defendants’ access to the court, and since the court keeps asserting that jurisdiction of the court exists, but **refuses** to tell the defendants how jurisdiction is **specifically taken** by the court under the U.S. Constitution, the Defendants therefore now *lawfully* RECIND the Order of this court that requires a *Motion for Leave to File*, and will hereafter file whatever documents the Defendants deems ideal to secure law and order in a court heretofore which has dishonorably **denied Justice**.

“A Law [order, ruling, statute, etc.] **repugnant to the Constitution is void.**” (Marbury v. Madison (1803))

9. Throughout this instant case the Defendant Cromars were entitled by lawful *due process* to the missing explanation of how jurisdiction is specifically *taken* by the court, *i.e.*: the specific *subject-matter jurisdiction* of the court under the U.S. Constitution, asserted by the court to have been *taken* over the civil action – but were denied Justice. Without such declaration, jurisdiction is and remains challenged and until proven, this instant case is, on and for the record of the court, again declared VOID, as established throughout the Defendants’ filings and within the 130 pages presented as **un-rebutted** affidavits of fact on this court’s docket number #120 filed on the court May 18, 2020, and also entered onto the Utah County Record on May 29, 2020, where it is easily available under http://bmiwebh5.utahcounty.gov/BmiWeb/?page=Document&Entry_No=73442&YR=2020.

10. MR. ROBERT J. SHELBY, the living-and-breathing man received a certified USPS mailing #7019 2970 0001 7192 9347 on June 15, 2020 – 12.48 pm, but chose to file on the docket entry #130 on June 23, 2020, which inaccurately reads “NOTICE OF FILING Public Notice, Declarations, Mandates, and Lawful Protest filed by Defendant Paul Kenneth Cromar.” This document was NOT “filed by Defendant Paul Kenneth Cromar”, but rather MR. ROBERT J. SHELBY the living-and-breathing man to whom it was sent. However, the entire first page of the document declaring how We, the Cromars are foreign to the jurisdiction claimed in the Complaint, which was un-rebutted within 30-days, was thereby admitted as fact by MR. SHELBY, and as such he received a NOTICE OF DEFAULT, ACCEPTANCE OF AGREEMENT, AND INTENT TO COLLECT, which does not show up on the visible record of this court, but nevertheless acts as MR. SHELBY’s additional AGREEMENT regarding fraud in this case, which is a felony, and further damns and VOIDS this instant case Complaint, and the admitted unlawful actions of this court; including the *Summary Judgment* and all *orders* and *falsely claimed jurisdiction authority* over the defendant Cromars, previously on March 17, 2020 in docket #118 and now again herein again declared as FRAUD AND SWINDLE IN DISHONOR upon the court. HEREIN now Judicially Noticed of docket inaccuracy, the court may choose to correct the record.

11. It is a fact that at no time during this instant case in this district court did the plaintiff declare in the original Complaint, nor did the “Chief Judge” presiding over this case ever caused to be identified on the record the Constitutionally foundation of the action citing:

Constitution article & clause # _____ .

Congress passed US Code Title # _____ .

Exact US Code section that applies to alleged tax # _____ .

Absent the above jurisdiction declaration signed under penalty of perjury this case some officer of the court, by weight of its own judicial abuse and malfeasance this instant case must be mute, NULL, VOID, and REJECTED FOR FRAUD AND SWINDLE IN DISHONOR.

12. Until this fundamental *source authority* and specific *subject-matter jurisdiction* information is provided it does NOT exist, and therein this court DENIED the defendants Paul-Kenneth: Cromar and Barbara-Ann: Cromar, their God-given, un-a-lien-able, Constitutionally safeguarded right to *due process, hearing, facing the accusers under oath, counter-claim, trial by jury* and thus this court, its officers and the “chief judge” who the Cromar have NEVER seen, met or heard his voice or been in his court is evidence of *due process and appearance* DENIED and hence authority of the court VOIDED it’s own authority, jurisdictional claim and orders in this instant case for FRAUD AND SWINDLE IN DISHONOR, including the court’s unlawful *order* requiring a Motion for Leave to File which is HEREBY quashed, mute, Vacated and VOID.

OUR MISSION STATEMENT

13. **We The People of The United States**, in Order to form a more perfect Union, establish Justice, insure Domestic Tranquility, **provide for the Common Defense**, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America. To prove this, let these facts set forth in this **JUDICIAL NOTICE: ORDER FOR MOTION FOR LEAVE TO FILE ARE STATUTORILY VOID AND RECINDED** as factual defense of the CROMARS’ God-given, unalienable (un-a-lien-able) Constitutional rights be submitted to a candid world.

FOR THE AFFIDAVIT IS OF THE TRUTH:

FOR THE Secured Parties **ARE FOR THE AFFIRMATION OF THE DECLARATION OF THE**

TRUTH BY THE FIRTHAND KNOWLEDGE OF THE FACTS:

Utah County)
)
Utah Republic)
United States of America)

Asseveration
L.S. by: Paula Knecht, Sr.
Signed only in correct public capacity
As beneficiary to the Original Jurisdiction.



Asseveration
L.S. by: Barbara - Ann!
Signed only in correct public capacity
As beneficiary to the Original Jurisdiction



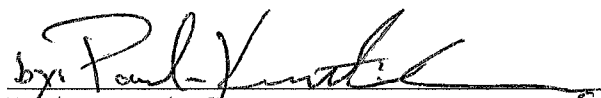
January 2nd, 2021

CERTIFICATE OF SERVICE

I, Paul Kenneth Cromar, certify that a true copy of the attached *Motion* has been served via Certified Mail to the following:

Ryan S. Watson, Trial Attorney
Tax Division
U.S. Department of Justice
Ben Franklin Station
P.O. Box 683
Washington, DC.20044-0683

Certified Mail: #7020 0090 0000 3817 1822


Paul-Kenneth: Cromar
c/o 9870 N. Meadows Dr.
Cedar Hills, Utah state [84062]

December 23rd, 2020



THE UNITED STATES
DEPARTMENT *of* JUSTICE

EXHIBIT A

DEPRIVATION OF RIGHTS UNDER COLOR OF LAW

SUMMARY:

- Section 242 of Title 18 makes it a crime for a person acting under color of any law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States. For the purpose of Section 242, acts under "color of law" include acts not only done by federal, state, or local officials within their lawful authority, but also acts done beyond the bounds of that official's lawful authority, if the acts are done while the official is purporting to or pretending to act in the performance of his/her official duties. Persons acting under color of law within the meaning of this statute include police officers, prison guards and other law enforcement officials, as well as judges, care providers in public health facilities, and others who are acting as public officials. It is not necessary that the crime be motivated by animus toward the race, color, religion, sex, handicap, familial status or national origin of the victim. The offense is punishable by a range of imprisonment up to a life term, or the death penalty, depending upon the circumstances of the crime, and the resulting injury, if any.

TITLE 18, U.S.C., SECTION 242

- *Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, ... shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.*

EXHIBIT **B**



THE UNITED STATES
DEPARTMENT of JUSTICE

Conspiracy Against Rights

Summary:

Section 241 of Title 18 is the civil rights conspiracy statute. Section 241 makes it unlawful for two or more persons to agree together to injure, threaten, or intimidate a person in any state, territory or district in the free exercise or enjoyment of any right or privilege secured to him/her by the Constitution or the laws of the United States, (or because of his/her having exercised the same). Unlike most conspiracy statutes, Section 241 does not require that one of the conspirators commit an overt act prior to the conspiracy becoming a crime.

The offense is punishable by a range of imprisonment up to a life term or the death penalty, depending upon the circumstances of the crime, and the resulting injury, if any.

TITLE 18, U.S.C., SECTION 241

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same;...

They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death.

Updated August 6, 2015

<https://www.justice.gov/crt/conspiracy-against-rights>



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FROM:

:Paul-Kennet Cromar.
c/o 9870 N. Meadow Drive
Cedar Hills, Ut
uSA [84062]

TO:

D. Mark Jones
Clerk of the US District Court
351 S. West Temple
Salt Lake City, UT
84101